

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2002-298-E - ORDER NO. 2002-752

OCTOBER 24, 2002

IN RE: Mamie L. Jackson,)	ORDER DISMISSING
)	COMPLAINT
Complainant/Petitioner,)	
)	
vs.)	
)	
South Carolina Electric & Gas Company,)	
)	
Respondent.)	

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Complaint of Mamie L. Jackson (Mrs. Jackson) against South Carolina Electric & Gas Company (SCE&G or the Company). Mrs. Jackson complains about her experiences at one of the Company offices when she was attempting to establish electric service on September 6, 2002. She specifically complains that several employees of the Company either refused to serve her or refused to identify themselves, and that, as a result, her civil rights were violated. She also alleges interference with personal business affairs and fraud. Mrs. Jackson requests relief in the form of actual damages of \$25,000 for each denial and \$100,000 in punitive damages.

SCE&G filed a Motion to Dismiss Mrs. Jackson's complaint. Among other things, the Company alleges that Mrs. Jackson actually visited the office in question on September 5, 2002, and that she refused to wait her turn to be seen by a Customer Service Representative of the Company. Further, the Company alleges that Mrs. Jackson left the

office before being seen. She subsequently returned, and, according to the Company, disrupted the office's operations to the point that corporate security had to be called. Further, according to SCE&G, the Company established electric service for Mrs. Jackson the following day, after she visited another Company office.

The Company states that, assuming that all of the facts alleged in the Complaint are true, that there is no claim stated that is cognizable before this Commission. SCE&G notes that the Complaint fails to allege facts sufficient to support claims for a violation of civil rights, interference with personal and business affairs, or fraud. Further, SCE&G notes that even if the claims were properly pled, the Commission lacks jurisdiction to grant the relief requested. In summary, the Company notes that the Commission has not been granted the power to adjudicate tort claims, nor the power to award any money damages. Accordingly, SCE&G moves for dismissal of the complaint without a hearing.

We grant SCE&G's Motion based on the grounds stated by SCE&G. The General Assembly has not granted this Commission the power to adjudicate the claims made by Mrs. Jackson, and, further, has no power to award actual and/or punitive damages. For these reasons, we grant the Motion to Dismiss the Complaint.

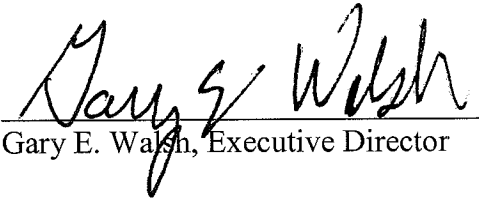
This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Mignon L. Clyburn, Chairman

ATTEST:



Gary E. Walsh, Executive Director

(SEAL)